

Oregon
Interpretive Ruling No. 93-9
FIRE SEPARATIONS IN MULTIFAMILY DWELLINGS

Requested By: WILLIAM T. HUNT,
BUILDING OFFICIAL,
CITY OF BEND

QUESTIONS

Q1: Does Section 1202(b) require walls of one-hour construction be constructed in the crawl space and attic of all R-1 and SR occupancies to separate tenants from each other?

Q2: Does Section R-218 require the one-hour fire wall to extend into the crawl space?

Q3: Does the code provide a greater degree of protection to a tenant in a duplex than it does for a tenant in a triplex?

CODE SECTIONS INVOLVED

Oregon Structural Specialty Code, 1993 Edition

Section 1202(b) Special Provisions. Walls and floors separating dwelling units in the same building shall not be of less than one-hour fire-resistive construction.

Oregon One and Two Family Dwelling Specialty Code, 1993 Edition

Section R-218.1 Two Family Dwellings: Dwelling units in two-family dwellings shall be separated from each other by wall and/or floor assemblies of not less than one-hour fire-resistive rating when tested in accordance with ASTM E119 listed in Section S-26.218. Fire-resistive-rated floor-ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend to the underside of the roof sheathing.

BACKGROUND

Mr. Hunt reports it has been the interpretation of the Bend Building Department with the addition of Section 1202(b) in the 1990 code adoption, dwelling units be separated from the ground to the underside of the roof sheathing. Mr. Hunt recently learned this interpretation isn't applied by other building departments.

BOARD FINDING

This interpretation is authorized by ORS 455.060, Rulings on Acceptability of Materials, Designs or Methods of Construction, and the Attorney General's Opinion OP-5208 issued October 1, 1981, which advised the statute permits authoritative interpretations of existing code requirements.

DISCUSSION AND CONCLUSION

(1) Section 1202(b) does not specifically require the separation be continuous to the underside of the roof sheathing and does not require separation of one-hour fire-resistive construction be continuous into the crawl space.

(2) Section R-218 specifically requires the wall of one-hour fire-resistive construction extend to the underside of the roof sheathing and does not require the one-hour separation extend into the crawl space.

(3) The One and Two Family Dwelling Specialty Code and the Oregon Structural Specialty Code are based on different model codes and do differ. These provisions have not been amended by Oregon. We

speculate there is confusion between the less restrictive fire separation requirement for dwelling units with the more restrictive area separation wall and occupancy separation wall requirements where the walls are required to go from the foundation to the underside of the roof sheathing. See Sections 503 and 505(f)4.

(signed May 19, 1993)

John Talbott, Chairman
Structural Code Advisory Board

The recommendations and findings of the Structural Code Advisory Board are accepted and the conclusions are adopted.

(signed May 24, 1993)

Gary J. Wicks, Administrator
Building Codes Agency